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EXAMINER

VAN DOREN, BETH

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/474,643

Applicant(s)

HAYNES ET AL.

Examiner

Beth Van Doren

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 9-11, 13-25 and 27-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-7, 9-11, 13-25, and 27-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a Final Office action in response to communications 09/17/04. Claims 1, 11, 17, 27, and 30-31 have been amended. Claim 26 has been canceled. Claims 1-7, 9-11, 13-25, and 27-31 are now pending in this application.

Examiner Note

2. On page 10 of the remarks, Ms. Hartman states that "Examiner Beth Van Doren agreed with the undersigned that an amendment regarding the sequence of processing a service order as recited by the present application would likely overcome the rejection". Examiner would like to clarify this remark. Examiner specifically agreed with Ms. Hartman that the system of Storch et al. performed a sequential process, and suggested that Ms. Hartman amend the claims to include the simultaneous process discussed by Ms. Hartman, as well as other features outlined in the interview summary of 08/18/04. Therefore, "the sequence of processing a service order" was specifically discussed as simultaneous processing. Examiner agreed that once the claims were amended, she would reconsider the claimed invention in light of the teachings of the prior art. Examiner further notes that this simultaneous aspect has not been included in the present amendment.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who

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has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-2, 5-7, 10-11, 13-25, and 27-31 are rejected under 35 U.S.C. 102(a) and (e) as being anticipated by Storch et al. (U.S. 5,920,846).

4. As per claim 1, Storch et al. discloses a method for eliminating an unnecessary dispatch of a service technician, comprising:

receiving a service order (See column 53, lines 60-67, column 54, lines 1-15 and 65-67, column 55, lines 1-10 and 18-30, wherein a service order is received);

determining whether the service order requires a dispatch of a service technician (See figure 12, column 53, lines 60-67, column 54, lines 1-15 and 65-67, column 55, lines 1-10 and 18-30, and column 57, lines 8-31, wherein the necessity of a service technician is determined);

if the service order requires a dispatch of a service technician, then generating a dispatch order for the dispatch and placing the dispatch order in a queue for execution (See figure 12, column 53, lines 60-67, column 54, lines 1-15 and 65-67, column 55, lines 1-10 and 18-30, wherein a dispatch order is generated);

if the dispatch requires a dispatch of a service technician, then determining whether the service order meets a set of predefined criteria that indicates the service order is likely to cause

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an unnecessary dispatch (See figure 12, column 53, lines 29-46, column 54, lines 1-4 and 65-67, column 55, lines 1-5, column 56, lines 1-19, 25-37, and 41-56, column 57, lines 8-31, wherein the predefined criteria are obtained and used to generate the initial service order. After an appointment is set on the initial service order, the predefined criteria are looked at to determine if the service order does not require a dispatch);

if the service order meets the set of predefined criteria, then determining whether the dispatch is unnecessary (See figure 12, and column 57, lines 8-31, wherein when the service order meets certain criteria based on previously obtained data, the dispatch is unnecessary);

if the dispatch is unnecessary, then determining whether the dispatch associated with the dispatch order in the queue is scheduled to occur within a predetermined time period (See at least figure 12, column 57, lines 8-31 and 34-54, and column 58, lines 5-10 and 36-56, wherein after determining that the dispatch is unnecessary, then the system changes the status of the service order to Auto complete associated with the waiting dispatch order. The dispatch order was previously assigned to a specific technician at a predetermined time);

if the dispatch is scheduled to occur within the predetermined time period, then placing the dispatch order in the queue on hold and canceling the dispatch associated with the service order (See at least figure 12, column 57, lines 8-31 and 34-54, and column 58, lines 5-10 and 36-56, wherein the technician of the dispatch order is placed on hold, the time set as available and awaiting a different service order with which to be associated. The system changes the service order status to Auto complete, thus canceling the service order).

5. As per claim 2, Storch et al. teaches a method wherein determining whether the service order meets a set of predefined criteria comprises:

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determining whether the service order was initiated by a competitive local exchange carrier (See column 53, lines 30-48, and column 54, lines 10-13 and 42-60, in which discusses a remote location selling telecommunications services interfacing with a central computer that maintains overall records concerning appointment dates and such. See also column 58, lines 12-14, which discusses the central computer scheduling with the provider based on geographic region, meaning that the system knows the company with which the order was placed).

6. As per claim 5, Storch et al. discloses a method wherein determining whether the service order meets a set of predefined criteria comprises:

determining whether the service order includes an assignment of facilities (See column 53, lines 29-48, column 56, lines 3-23, column 57, lines 8-37, in which a more in depth processing analyzes the service to ascertain the necessary facilities and the need for assignment of these facilities).

7. As per claim 6, Storch et al. teaches a method wherein determining whether the service indicates that a dispatch is unnecessary comprises:

determining whether the assignment of facilities uses the same facilities that were previously assigned to a location associated with the service order (See column 57, lines 11-17, wherein during the more in depth processing the current status of the facilities are accessed to see what exact work needs to be done).

8. As per claim 7, Storch et al. discloses a method wherein canceling the dispatch comprises:

correcting the service order so that the dispatch associated with the service order is canceled (See Figure 12 and column 57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10,

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36-49, which disclose fixing the original records stored about the service appointment date to reflect the dispatch being unnecessary and canceled. When the assessment shows 0 hours of work needed on the appointment date (i.e. the dispatch is unnecessary) then the system's records are updated to reflect the cancellation of the appointment. The appointment time is now free for other service order dispatches).

9. As per claim 10, Storch et al. teaches a method wherein determining whether the dispatch is unnecessary comprises:

periodically generating a report based upon selected ones of the predefined criteria that includes all service orders that meet the selected predefined criteria (See at least column 56, lines 41-61, wherein a statement is generated and issued at times (when required for a preliminary quote), using the databases, using the predefined criteria and all the service orders related to these criteria).

10. As per claim 11, Storch et al. discusses a system for eliminating unnecessary dispatches, comprising: a service order control system for receiving service requests from a source and for generating a service order (See at least figure 12, column 53, lines 15-31 and 53-65, column 54, lines 1-4, 14-17, 28-31, and 65-67, column 55, lines 1-17, and column 56, lines 1-19 and 25-37, wherein the predefined criteria are obtained from a customer and used to generate the initial service order. The service order includes any necessary facilities assignments);

a work management center for receiving the service order from the service order control system for determining whether the service order requires a dispatch, and if so, for generating a dispatch order corresponding to the service order for the dispatch (See at least figure 12, column 53, lines 60-67, column 54, lines 1-15 and 65-67, column 55, lines 1-10 and 18-30, and column

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56, lines 41-64, wherein the service order is received from the service order control system and an initial determination is made as to whether the service order requires a dispatch);

a trap service order system for receiving a duplicate of the service order from the service control system, determining whether the service order requires a dispatch, and if so, determining whether the service order meets a set of predefined criteria that indicate the service order is likely to cause an unnecessary dispatch, and if so, further examining the service order to determine whether the dispatch is unnecessary, and if the dispatch is unnecessary, then determining whether the dispatch is scheduled to occur within a predetermined time period, and if so communicating with the work management center to place the dispatch on hold (See at least figure 12, column 55, lines 60-67, column 57, lines 8-31 and 34-40, and column 58, lines 5-10, 36-56, wherein a copy of the service order is passed through the system. A determination is made as to whether or not the service order requires a dispatch based on more specific information about the service order type and information in fields of the service order. This information is compared to other service orders' predefined criteria. If the dispatch is unnecessary, the system identifies that the dispatch is scheduled to occur within a predetermined time period (i.e. within a first appointment window). This dispatch of the technician is placed on hold until that dispatch time is required by another service order).

11. As per claim 13, Storch et al. teaches a system further comprising a loop facility assignment control system for receiving the service order and for assigning facilities for the service order, wherein if the trap service order system determines that the dispatch is unnecessary, then the trap service order system communicates with the loop facility assignment control system to update a database in the loop facility assignment control system (See column

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55, lines 2-6 and 25-45, column 56, lines 32-34 and 41-48, and column 57, lines 8-37, which discuss the set up of a preliminary appointment which includes an initial assignment of facilities to service the order. Service orders not requiring the dispatch of a technician, though previously assigned, are trapped. When changes are made to the initial assignment, the stored records associated with the service order are updated).

12. As per claim 14, Storch et al. discloses a system wherein if the trap service order system determines that the dispatch should be canceled, then the trap service order system communicates with the service order control system to update a database in the service order control system (See figure 12, column 55, lines 17-23 and 38-46, column 57, lines 32-46 and 51-53, column 58, lines 22-31 and 36-41, which describes sending a notification to the service order control system about the change in the appointment status of a service order, therefore updating the database of appointment availability).

13. As per claim 15, Storch et al. teaches a system wherein the service order control system generates a corrected service order, which cancels the dispatch in response to the database update (See Figure 12 and column 57, lines 8-40 and 51-54, and column 58, lines 5-10, 36-49, which disclose fixing the original records stored about the service appointment date to reflect the dispatch being unnecessary and canceled. When the assessment shows 0 hours of work needed on the appointment date (i.e. the dispatch is unnecessary) then the system's records are updated to reflect the cancellation of the appointment. The appointment time is now free for other service order dispatches).

14. As per claim 16, Storch et al. discloses a system wherein the trap service order system is operative to identify all service orders that require a dispatch and that meet a set of predefined

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criteria (See at least figure 12, column 57, lines 8-31 and 34-40, and column 58, lines 5-10, 36-49, and 53-56, wherein the trap service order system works to recognize which service orders require dispatch based on predefined criteria).

15. As per claim 17, Storch et al. discusses a method for eliminating an unnecessary dispatch of a service technician, comprising:

receiving a service order including facilities assignments for the service order (See column 53, lines 60-67, column 54, lines 1-15 and 65-67, column 55, lines 1-10 and 18-30, wherein a service order is received);

determining whether the service order requires the dispatch of a service technician (See figure 12, column 53, lines 60-67, column 54, lines 1-15 and 65-67, column 55, lines 1-10 and 18-30, and column 57, lines 8-31, wherein the necessity of a service technician is determined);

if the service order requires a dispatch of a service technician, then determining whether the service order meets a set of predefined criteria that indicate the likelihood of an unnecessary dispatch by examining selected sections of the service order (See at least figure 12, column 53, lines 29-46, column 54, lines 1-4 and 65-67, column 55, lines 1-5, column 56, lines 1-19, 25-37, and 41-56, column 57, lines 8-31, wherein the predefined criteria are obtained and used to generate the initial service order. After an appointment is set on the initial service order, the predefined criteria from sections of the service order are looked at to determine if the service order does not require a dispatch);

if the service order meets the set of predefined criteria, then determining whether the dispatch is unnecessary (See figure 12, and column 57, lines 8-31, wherein when the service

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order meets criteria based on previously obtained data, the dispatch is determined to be unnecessary); and

if the dispatch is unnecessary, then eliminating the dispatch by correcting the service order (See at least figure 12, column 57, lines 8-31 and 34-54, and column 58, lines 5-10 and 36-56, wherein the dispatch is not needed and the dispatch associated with the service order is eliminated. The original records stored about the service appointment date are fixed to reflect the dispatch being unnecessary and canceled. When the assessment shows 0 hours of work needed on the appointment date (i.e. the dispatch is unnecessary) then the system's records are updated to reflect the cancellation of the appointment. The appointment time is now free for other service order dispatches).

16. As per claim 18, Storch et al. discusses a method wherein the set of predefined criteria is selected based upon an analysis of past dispatches (See column 56, lines 45-61, and column 57, lines 8-21, which discusses using tables storing records concerning past dispatches and statistical analysis to determine the need for dispatch. The records are applied based on the information provided in the current service order).

17. As per claim 19, Storch et al. discloses a method wherein the set of predefined criteria includes determining whether the service order is a new install or a reinstall/reconnect (See column 52, lines 16-21, column 43, lines 29-46, column 56, lines 10-15, and column 57, lines 11-17, which uses the specific areas of the stored records to determine if the service is a new install or a reinstall/reconnect).

18. As per claim 20, Storch et al. teaches a method wherein correcting the service order comprises updating a database associated with a service order control system (See figure 12,

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column 55, lines 17-23 and 38-46, column 57, lines 32-46 and 51-53, column 58, lines 22-31 and 36-41, which describes sending a notification to the service order control system about the updated service order, therefore updating a database of appointment availability).

19. As per claims 21 and 22, Storch et al. teaches wherein the service order is for a new install or for a reinstall/reconnect (See column 52, lines 16-21, column 53, lines 29-46, column 56, lines 10-15, and column 57, lines 11-17, wherein specific areas of the stored records are used to determine if the service is a new install or a reinstall/reconnect).

20. As per claim 23, Storch et al. discloses a method wherein canceling the dispatch comprises: generating a corrected service order (See Figure 12 and column 57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10, 36-49, which disclose fixing the original records stored about the service appointment date to reflect the dispatch being unnecessary and canceled. When the assessment shows 0 hours of work needed on the appointment date (i.e. the dispatch is unnecessary) then the system's records are updated to reflect the cancellation of the appointment. The appointment time is now free for other service order dispatches);

determining whether the corrected service order corresponds to the dispatch order (See figure 12, column 57, lines 38-42, and column 58, lines 5-35, wherein the corrected service order is looked at to see if the dispatch order exists in correlation to it);

if the corrected service order corresponds to the dispatch order, then canceling the dispatch order (See at least figure 12, column 57, lines 38-42, and column 58, lines 5-35, wherein if in the preliminary phase a dispatch order was associated to the order and it is no longer needed, the dispatch order is canceled and the appointment date/time becomes available).

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21. Claims 24, 25, 27, 28, and 29 recite equivalent limitations to claims 21, 22, 23, 21, and 22, respectively, and are therefore rejected using the same art and rationale relied upon above.

22. As per claim 30, Storch et al. teaches a method for eliminating an unnecessary dispatch of a service technician, comprising:

receiving a service order at a work management center (See column 53, lines 60-67, column 54, lines 1-15 and 65-67, column 55, lines 1-10 and 18-30, wherein a service order is received at a work management center);

determining, at the work management center, whether the service order requires a dispatch of a service technician (See figure 12, column 53, lines 60-67, column 54, lines 1-15 and 65-67, column 55, lines 1-10 and 18-30, and column 57, lines 8-31, wherein the necessity of a service technician is determined);

if the service order requires a dispatch of a service technician, then generating a dispatch order for the dispatch and placing the dispatch order in a queue for execution (See figure 12, column 53, lines 60-67, column 54, lines 1-15 and 65-67, column 55, lines 1-10 and 18-30, wherein a dispatch order is generated);

receiving a duplicate of the service order at a trap service order system (See at least figure 12, column 55, lines 60-67, column 57, lines 8-31 and 34-40, and column 58, lines 5-10, 36-56);

determining at the trap service order system, whether the service order requires a dispatch of a service technician (See at least figure 12, column 55, lines 60-67, column 57, lines 8-31 and 34-40, and column 58, lines 5-10, 36-56, wherein the need for a dispatch is determined);

if the service order requires a dispatch of a service technician, then determining, at the trap service order system, whether the service order meets a set of predefined criteria that

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indicate a likelihood of an unnecessary dispatch by examining selected sections of the service order (See figure 12, column 53, lines 29-46, column 54, lines 1-4 and 65-67, column 55, lines 1-5, column 56, lines 1-19, 25-37, and 41-56, column 57, lines 8-31, wherein the predefined criteria are obtained and used to generate the initial service order. After an appointment is set on the initial service order, the predefined criteria from sections of the service order are looked at to determine if the service order does not require a dispatch);

if the service order meets the set of predefined criteria, then determining, at the trap service order system, whether the dispatch is unnecessary (See figure 12, column 53, lines 29-46, column 54, lines 1-4 and 65-67, column 55, lines 1-5, column 56, lines 1-37, and 41-56, column 57, lines 8-31, where the system uses specific criteria to determine the necessity of the dispatch);

if the dispatch is unnecessary, then whether the dispatch associated with the service order in the queue is scheduled to occur within a predetermined time period (See at least figure 12, column 57, lines 8-31 and 34-54, and column 58, lines 5-10 and 36-56, wherein after determining that the dispatch is unnecessary, then the system changes the status of the service order to Auto complete associated with the waiting dispatch order. The dispatch order was previously assigned to a specific technician at a predetermined time);

if the dispatch is scheduled to occur within a predetermined time period, then placing the dispatch order in the queue on hold (See at least figure 12, column 57, lines 8-31 and 34-54, and column 58, lines 5-10 and 36-56, wherein the technician of the dispatch order is placed on hold, the time set as available and awaiting a different service order with which to be associated. The system changes the service order status to Auto complete, thus canceling the service order) and eliminating the dispatch by:

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generating a corrected service order (See Figure 12 and column 57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10, 36-49, which disclose fixing the original records stored about the service appointment date to reflect the dispatch being unnecessary and canceled. When the assessment shows 0 hours of work needed on the appointment date (i.e. the dispatch is unnecessary) then the system's records are updated to reflect the cancellation of the appointment. The appointment time is now free for other service order dispatches);

determining whether the corrected service order corresponds to a dispatch order generated in response to the service order (See figure 12, column 57, lines 38-42, and column 58, lines 5-35, wherein the corrected service order is looked at to see if the dispatch order exists in correlation to it); and

if the corrected service order corresponds to the dispatch order, then canceling the dispatch order (See at least figure 12, column 57, lines 38-42, and column 58, lines 5-35, wherein if in the preliminary phase a dispatch order was associated to the order and it is no longer needed, the dispatch order is canceled and the appointment date/time becomes available).

23. As per claim 31, Storch et al. discloses a system for eliminating unnecessary dispatches, comprising: a service order control system for receiving service requests from a source, generating a service order, and generating a corrected service order in response to a communication from a trap service order system (See at least figure 12, column 53, lines 15-31 and 53-65, column 54, lines 1-4, 14-31, and 65-67, column 55, lines 1-17, and column 56, lines 1-19 and 25-37, wherein the predefined criteria are obtained from a customer and used to generate the initial service order. The service order includes any necessary facilities assignments. See column 57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10, 36-49,

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wherein the service order control system also corrects the service order after the trap service order system analyzes it);

a work management center for receiving the service order from the service order control system, determining whether the dispatch is scheduled to occur within a predetermined time period and placing the dispatch on hold while making a determination as to if the dispatch should still be scheduled, the trap service order system in communication with the work management center about information and determinations, determining whether the service order requires a dispatch, and if so then generating a dispatch order, receiving the corrected service order from the service order control system, for determining whether the corrected service order corresponds to the dispatch order, and if so, canceling the dispatch order (See at least figure 12, column 56, lines 41-64, column 57, lines 38-42, and column 58, lines 5-35, wherein the service order is received from the service order control system and an initial determination is made as to whether the service order requires a dispatch. When the service order is corrected, the system locates a dispatch order associated with the original order, if one exists, and cancels it, if necessary); and

the trap service order system for receiving a duplicate of the service order from the service control system, determining whether the service order requires a dispatch, and if so, then comparing a service order type and information in the selected field of the service order with a set of predefined criteria that indicates the service order is likely to cause an unnecessary dispatch, and if so, then further examining the service order to determine whether the dispatch is unnecessary, and if the dispatch is unnecessary, then determining whether the dispatch is scheduled to occur within a predetermined time period, and if so, then communicating with the work management center to place the dispatch order on hold and communicating with the service

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order control system (See at least figure 12, column 55, lines 60-67, column 57, lines 8-31 and 34-40, and column 58, lines 5-10, 36-56, wherein a copy of the service order is passed through the system. A determination is made as to whether or not the service order requires a dispatch based on more specific information about the service order type and information in fields of the service order. This information is compared to other service orders' predefined criteria. If the dispatch is unnecessary, the system identifies that the dispatch is scheduled to occur within a predetermined time period (i.e. within a first appointment window). This dispatch of the technician is placed on hold until that dispatch time is required by another service order).

Claim Rejections - 35 USC § 103

24. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 4, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Storch et al. (U.S. 5,920,846).

25. As per claim 3, Storch et al. discloses a method wherein determining whether the service order meets a set of predefined criteria comprises:

determining the requirement of dispatch for the service order is determined by a work management center (See at least figure 12, and column 57, lines 8-31, wherein when the service order meets certain criteria, based on previously obtained data the dispatch is determined to be needed or not).

Storch et al. further discloses an override code that requires dispatch of a technician in an emergency situation (See also column 59, lines 2-21, which discuss the ability of the order taker to place an override code on a service order, said override code ignoring the closed or unavailable appointment times).

However, Storch et al. does not expressly disclose the override code being used to require a dispatch regardless of a dispatch determination by a work management center.

FID or Field Identifier codes are assigned to service orders to indicate how to process the service order, as stated in column 59, lines 45-56. Storch et al. discloses the ability to assign an FID in an emergency situation that overrides closed appointments in the system, regardless of the system determination of availability. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the override code of Storch et al. to require a dispatch regardless of a dispatch determination by a work management center in order to increase the flexibility of the tool by allowing an order taker to effectively meet the needs of the customer placing the service order.

26. As per claims 4 and 9, Storch et al. teaches:

i. as per claim 4, a method wherein determining whether the service order meets a set of predefined criteria comprises: determining whether the service order is related to a second service order (See column 56, lines 41-62, and column 57, lines 10-33, wherein the service order is analyzed for its association to other service orders that have already had determinations made).

ii. As per claim 9, a method wherein determining whether the dispatch is unnecessary comprises: in response to receiving a query based upon ones of the predefined criteria, searching a database of service orders that indicate a dispatch is required to locate service orders

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that meet the selected predefined criteria (See column 56, lines 41-62, and column 57, lines 10-33, wherein the system is queried based upon the predetermined criteria and a database of service orders is searched to locate situations where a dispatch was required); and

providing the service orders that meet the selected predefined criteria (See column 56, lines 41-62, and column 57, lines 10-33, wherein the service orders are made available that meet the certain predefined criteria).

However, Storch et al. does not expressly disclose that the second service order is pending.

Storch et al. teaches that when the tool is making a determination as to the necessity of the dispatch, it searches the service order's predefined criteria against a set of predefined criteria stored in database about other service orders. This data includes information about the predefined criteria of other service orders and the number of times a dispatch was required in those service orders. Whether the other service orders are pending completion or already completed is irrelevant to the determination of a dispatch in those instances. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to search a database of pending service orders and to determine whether a service order is related to a second pending service order in order to more accurately identify if the current service order will cause an unnecessary dispatch by looking at past determinations of other service orders.

Response to Arguments

27. Applicant's arguments with regards to the teaching of Storch et al. (U.S. 5,920,846) have been fully considered, but they are not persuasive. In the remarks, Applicant's argue that Storch et al. fails to teach or suggest (1) that a dispatch order is generated and placed in a queue for

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execution when a determination is made that a service order requires a dispatch since Storch et al. does not schedule an appointment for dispatch after determining the preliminary estimate but prior to determining a final time estimate, (2) determining whether a dispatch is scheduled to occur within a predetermined time period and, if so, placing the dispatch on hold.

In response to argument (1), Examiner respectfully disagrees. Storch et al. discloses that a customer generates a service order through a computer order entry system. At this time, the customer is assigned an available appointment date and time from current records of the availability of the outside technicians in a specific geographic area. This data and time is queued and ready to be performed, unless the timing or dispatch status changes after the initial dispatch order is assigned to the service order. See figures 12 and 13, and column 55, lines 1-17, and column 57. "Preliminary time estimate" and "final time estimate" are terms used by Storch et al. to describe this process, however neither term is used in any of the currently pending claims. Therefore, Storch et al. meets the limitations of the currently pending claims.

In response to argument (2), Examiner respectfully disagrees. The claims recite that if the dispatch is unnecessary, then determining whether a dispatch is scheduled to occur within a predetermined time period and, if so, placing the dispatch on hold and canceling the dispatch associated with the service order. Storch et al. teaches that a dispatch order (i.e. date and time to dispatch) is initially assigned to a service order, this dispatch order also associated with and assigned to a technician. The dispatch is scheduled to occur within a predetermined time period (i.e. planned to happen within a specific window of time). When it is determined in Storch et al. that the dispatch of the outside technician is unnecessary, the technician's dispatch at a that specific time is placed on hold (i.e. the technician will still be ordered to dispatch at the specific

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date and time, only associated with a different service order) but the dispatch of the technician with respect to the current service order is canceled and the service order is remotely and automatically completed. See figures 12 and 13, and column 55, lines 1-17, and column 57. Therefore, Storch et al. does teach these limitations, as currently claimed.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (703) 305-3882. The examiner can normally be reached on M-F, 8:30-5:00.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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December 1, 2004



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